

ORDINANCE NO. 284

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH AS HERETOFORE AMENDED SO AS TO CHANGE THE FOLLOWING DESCRIBED PROPERTY FROM A "R-5" RESIDENTIAL CLASSIFICATION TO A "R-5" RESIDENTIAL CLASSIFICATION WITH SPECIAL PERMIT FOR "PRIVATE SCHOOL", SAID TRACT BEING DESCRIBED AS FOLLOWS: LOTS 7, 8, 9 AND THE WEST ONE-HALF OF LOT 6, VALLEY VIEW ADDITION NO. 1 TO THE CITY OF FARMERS BRANCH, TEXAS; THAT SUCH PROPERTY IS TO BE USED FOR EITHER "R-5" RESIDENTIAL PURPOSES OR UNDER SPECIAL PERMIT FOR PRIVATE SCHOOL, SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY ESTABLISHED THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO PLANS AND SPECIFICATIONS SUBMITTED THEREFOR, WHICH SHALL BE APPROVED BY THE CITY PLANNING COMMISSION, AND SUBJECT TO THE CONDITIONS CONTAINED HEREIN; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Farmers Branch and the Governing Body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch and the State Law with reference to the granting of special permits under the zoning ordinance regulations and zoning map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to the persons interested and situated in the affected area and in the vicinity thereof, the Governing Body of the City of Farmers Branch is of the opinion that the special permit should be granted, subject to the conditions set out herein; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby, amended by amending the zoning map of the City of Farmers Branch so as to change the following described property from a "R-5" Residential Classification to a "R-5" Residential Classification with special permit for "Private School" as provided for under the provisions

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of Article XIV of the Comprehensive Zoning Ordinance, as heretofore amended, subject to special conditions contained herein. That the property to be covered by such special permit is described as follows, to-wit:

Lots 7, 8, 9 and the west one-half of Lot 6, Valley View Addition No. 1 to the City of Farmers Branch, Texas.

SECTION 2. That the special permit for private school with reference to the hereinabove described property is granted upon the following express conditions, and in accordance with Article XIV of the Comprehensive Zoning Ordinance, to-wit:

- (1) That future building expansion shall conform with the structure already in existence on the property.
- (2) That a fenced playground shall be provided with fence facing Valley View Lane and Rawhide Parkway of a design and appearance to be approved by the City Planning Commission.
- (3) That a minimum of ten (10) offstreet parking spaces shall be provided.
- (4) That all parking areas and driveways shall be paved in accordance with City of Farmers Branch specifications and standards.
- (5) That the location and the type of sign proposed to be constructed on the site shall be approved by the City Planning Commission prior to installation.
- (6) That all exits from the existing building and any proposed additions to this building must be approved by the Fire Chief of the City of Farmers Branch prior to the occupancy of said building.

SECTION 3. That the site plan, when approved by the City Planning Commission and the City Council, shall become a part of this ordinance for all purposes. A true copy of the site plan shall be retained in the office of the City Secretary and in the office of the City Manager for observance in connection with these improvements.

SECTION 4. That all ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That the above described tract of land shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch as heretofore amended and as amended herein by the granting of this special permit for Private School.

SECTION 6. That Private School for the purpose of this ordinance is defined as a place, location or institution established for the sole purpose of instructing children, from the ages of four through six years in subjects pertaining directly to pre-school, kindergarten and first grade levels, in classes of not more than one-half day duration by teachers who are qualified under state certification to teach such grade level subjects set out above.

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SECTION 7. That should any section, paragraph, subdivision, clause, phrase or provision of this ordinance be adjudged in violation or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the parts so decided to be invalid or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 8. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 9. Whereas it appears that the above described property requires that it be given the zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, and creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED on the 1st. day of May, 1961.

APPROVED:

*Oley E. Atcherson*  
MAYOR

ATTEST:

*Dorothanna Williams*  
CITY SECRETARY

APPROVED AS TO FORM:

/s/ H. Louis Nichols  
ATTORNEY